

1 **Camden County Planning Board**

2 **Minutes**

3 **November 28, 2007, 7:00pm**

4 Upstairs Courtroom

5 Camden County Courthouse

6
7
8 Members Present: Chairman James Burnham, Vice Chairman Rodney Needham,
9 Members Terri Griffin, Michael Etheridge, John Aydlett, Calvin Leary,
10 and Ray Albertson

11
12 **Call to Order & Welcome**

13
14 Chairman James Burnham called to order the November 28, 2007 meeting at 7:06 PM.

15
16 **Others Present at Meeting**

17
18 Also present were staff members Dan Porter (Director of Planning), Dave Parks (Permit
19 Officer/Flood Administrator), and Amy Barnett (Planning Board Clerk). Present for
20 purposes of presenting information relevant to their Sketch Plans and Rezoning Applications
21 were Richard Browner and Frank T. Williams (Lakes @ Shiloh-Sketch Plan), Eddie Hyman
22 of Hyman and Robie representing Camden Square Associates, John Outten and Waverly
23 Sawyer of Camden Square Associates, John Cooke - Attorney for Camden Plantation, and
24 David Rudiger - President of Camden Plantation Properties Inc. Also present were Courtney
25 Hull - an attorney for the county, and Ms. Marcella Whitson - who had concerns with the last
26 item on the agenda for this meeting.

27
28 **Consideration of Agenda**

29
30 Chairman James Burnham called for the consideration of the agenda. Calvin Leary made a
31 motion to approve the agenda. Michael Etheridge seconded the motion. The motion was
32 approved with Chairman James Burnham, Vice Chairman Rodney Needham, Members Terri
33 Griffin, Michael Etheridge, John Aydlett, Calvin Leary, and Ray Albertson voting aye; none
34 voting no; none absent; none not voting.

35
36 **Consideration of the Minutes- October 17, 2007**

37
38 Chairman James Burnham called for the consideration of the minutes from the October 17,
39 2007 meeting. Michael Etheridge made a motion to approve the minutes from the October
40 17, 2007 meeting as written. Vice Chairman Rodney Needham seconded the motion. The
41 motion was approved with Chairman James Burnham, Vice Chairman Rodney Needham,
42 Members Terri Griffin, Michael Etheridge, John Aydlett, Calvin Leary, and Ray Albertson
43 voting aye; none voting no; none absent; none not voting.

44 **Comments from the Public.**

45
46 There were no comments from the public at this time, however, Ms. Marcella Whitson
47 presented comments after the presentation of item #5 of the agenda. Her comments were
48 related to that item and so were deferred until after its conclusion. Also, her comments were
49 responded to by the presenter of that item.

50
51 **Old Business**

52
53 There was no old business.

54
55 **New Business**

56
57 ***Item #1 UDO 2007-10-09, Sketch Plan, The Lakes at Shiloh Major Subdivision***

58
59 After considerable discussion (see below), it was found that the application for sketch plan
60 for Lakes at Shiloh was an incomplete application. As such, the staff findings of facts
61 documents are not required for the minutes, and this item has been tabled until the next
62 meeting (December 19, 2007). Discussion details are summarized below.

63
64 Richard Browner, of 131 Dances Bay Road, Elizabeth City, NC, presented the sketch plan
65 for The Lakes at Shiloh, Major Subdivision. He also provided a handout showing the
66 proposed locations of lots and amenities on the aforementioned property. He also spoke
67 about the smart growth suitability of this property... specifically the ability to handle septic
68 tanks and soil conditions. He referred to the copy of the letter that is in the board packets for
69 the November 28, 2007 meeting, also referred to a copy of an email he received from Mr.
70 Timothy Peoples regarding this site. Mr. Peoples is quoted as saying "in my 20 years of
71 evaluating sites for septic systems, I have never had a complete subdivision look this good."
72 A copy of the email containing this statement was provided in the aforementioned handout.

73
74 He spoke of the number one consideration in his view when looking at a piece of property for
75 development was the ability to handle septic systems. The 2nd consideration he mentioned
76 was the ability to get county water to all of the lots.

77
78 He then spoke of the location of the lots, all of the houses will be clustered up on the high
79 ground, and there will be a trail system created going around the lakes to be owned and
80 maintained by the homeowners association. Also a portion of the lands around the lakes will
81 be owned and maintained by homeowners association. They also are planning pathways
82 from home lots to the trail system so that even if a home doesn't border on the lake,
83 homeowners will still have a pathway they can use to get to trail system and to the lake
84 without impeding any other property.

85
86 Per comments from the county, they have made a few changes: 50 foot buffer along Sandy
87 Hook Road and around the perimeter of the property. An updated copy of the plan has been
88 submitted to Dave Parks, Zoning Officer. The updated sketch plan states that they will
89 adhere to the UDO requirements relating to landscaping.

91 As required by the UDO, a copy of their Fiscal Analysis showing the breakdown of fees and
92 taxes which will be paid to the county was included in the handout they provided. Also
93 included in their handout was a copy of their Traffic Analysis for this subdivision.
94

95 They are going to try to have a set of covenants and restrictions on the architectural plans for
96 the types of homes that they want built in this subdivision. They are trying to keep to the
97 types of homes that are indigenous to the area.
98

99 At this time, Mr. Browner asked if there were any questions from the board.
100

101 A board member asked how long to completion this project will take. Mr. Browner said that
102 it would probably take 4 to 5 years. Another board member asked what kind of price range
103 these properties will sell for. Mr. Browner responded that the lake front lots will probably be
104 about 140,000 to 160,000. The lots further back will probably be in the mid 70,000 price
105 range for land only. After development, lake properties with houses will be between 350,000
106 to 400,000; further back around 225,000 to 250,000.
107

108 Mr. Parks then spoke about the colored page in the November board packet, showing the
109 land suitability, aerial photo, flood zone information, etc. Staff will recommend approval on
110 the subdivision, but would prefer to table it until the next meeting for the reason that there
111 were some things that were missing on the sketch plan that Mr. Parks just received and did
112 not have time to review or make copies for the board. Since these items are required per the
113 UDO ordinance, the application is incomplete, however these items will not impact the
114 recommendation to approve it when it is brought back before the board in December.
115

116 Dan Porter had 2 questions:
117

118 1) How fast will these (lots) develop out?
119

120 Response was that build out would probably be 4 to 5 years to completion.
121

122 2) Since the Commissioners have deferred the CAPS fees to the building permit
123 phase, are you going to cover those costs when you submit the final plat or wait
124 and pay as development occurs?
125

126 Response was that when the ordinance was passed, the lot price was adjusted by
127 10,000 and eventually the homeowner will be footing the bill for the CAPS. Mr.
128 Browner said that he thinks the decision by the commissioners to defer the cost of
129 CAPS was a prudent move on their part since no school bus will be running to
130 pick up children from a front door until there is a front door. So the answer to this
131 question seems to be that it will be handled at building permit time.
132

133 Rodney Needham questioned the buffer area... asking if the buffer will be around the
134 residential areas as well. The response was that it would. Dan added that the buffer area
135 around the perimeter is a requirement of the UDO.

Chairman James Burnham called for a motion to table this item until the next meeting. Terri Griffin made the motion, Calvin Leary 2nd it. The motion passed with Chairman James Burnham, Vice Chairman Rodney Needham, Members Terri Griffin, Michael Etheridge, John Aydlett, Calvin Leary, and Ray Albertson voting aye; none voting no; none absent; none not voting. Item #1 UDO 2007-10-09, Sketch Plan, The Lakes at Shiloh Major Subdivision will be tabled until the December 19, 2007 meeting.

Item #2 UDO 2007-10-07, Rezoning Application, Camden Square Associates

Findings of Facts

UDO 2007-10-07

**Major Zoning Map Amendment
Camden Square Associates**

- 1. Name of Applicant:** Camden Square Associates
- 2. Agent for Applicant:** John Oytten
- 3. Address of Applicant:** 389 Edwin Drive
Virginia Beach, VA 23462
- 4. PIN:** 01-7080-00-68-2061 and 01-7080-00-86-8982
- 5. File Reference:** UDO 2007-10-07
- 6. Name(s) of Current Owner(s) of Record:** Camden Square Associates
- 7. Street Address of Property:** Ketter Barn Road & at the rear of Wharfs Landing Subdivision
- 8. Location of Property:** South Mills Township
- 9. Flood Zone:** X and AE
- 10. Zoning District(s):** Basic Residential (R3-2)
- 11. Is a Zoning Change Required for the Proposed Use?** Yes, current zoning does not allow for one acre lots
- 12. General Description of the Proposal:** Request rezone properties (approximately 104 acres from Basic Residential (R3-2) to Basic Residential (R3-1).
- 13. Date Application Received by County:** October 9, 2007
- 14. Received by:** David Parks, Permit Officer
- 15. Application fee paid:** \$1740.00 by check #4752
- 16. Completeness of Application:** Application is complete.
- 17. Documents received upon filing of application or otherwise included:**
 - A.** Rezoning Application
 - B.** GIS Ariel Map
 - C.** Pages from Land Use Plan
- 18. Soil Classifications:**
 - A. Predominant:** Roanoke (RoA) Severe wetness, percs slowly
 - B. Other:** Tomotley (ToA) Severe wetness, percs slowly
Portsmouth (PtA) Severe wetness, poor filter
- 19. Adjacent Property Uses:**
 - A.** Predominant: Agriculture
 - B.** Other: Woodland
- 20. Existing Land Uses:**

183 **22. Findings Regarding Additional Requirements:**

184 **A. How will the proposed zoning change enhance the public health, safety or**
185 **welfare?**

186 **Applicant response:** The proposed zoning shall allow for a slightly higher density,
187 (1 du/ac) within walking distance to a commercial pod along route 17. Having
188 more homes concentrated in and around commercial development allows for less
189 vehicle trips, more walkability, and more land to be conserved as agricultural
190
191 beyond the proposed neighborhood. The proposed zoning change also allows for
192 a community to be developed with sidewalks, curb and gutter. This promotes
193 walkability as opposed to the typical ditch section found in many of the existing
194 Camden County neighborhood developments. Promoting pedestrian traffic in a
195 safe location, as well as outdoor gathering places, certainly enhances the public
196 health, safety and welfare.

197
198 **Staff response:** In staffs opinion the only Area of Environmental (AEC) concern is
199 the portion of tracks of land that run adjacent to Cypress Run Creek. Without
200 knowing the impact of both up and down stream, permitting higher density at this
201 time in not advised. In viewing the attached GIS map with the Floodplain overlay,
202 the Non-Encroachment/Floodway starts south at Keeter Barn Road.

203 **B. Is the entire range of permitted uses in the requested classification more**
204 **appropriate than the range of uses in the existing classification?** The entire range
205 of permitted uses in the existing classification are the same as in the requested
206 zoning classification.

207 **C. For proposals to re-zone to non-residential districts along major arterial roads:**
208 N/A

- 209 (1) Is this an expansion of an adjacent zoning district of the same classification?
210 (2) What extraordinary showing of public need or demand is met by this
211 application?

212 **D. Conformity with the Plans:**

- 213 (1) Land Use Plan –
214 - The uses are the same in the existing and proposed zoning classification.
215 -

216 (2) Other Plans officially adopted by the Board of Commissioners – N/A

217 **E. Will not exceed the county's ability to provide public facilities:**

- 218 (1) Schools – Article 153 (Adequate Public Facilities Ordinance) addresses
219 school impacts.
220 (2) Fire and Rescue – Will have an impact on Fire and Rescue.
221 (3) Law Enforcement – Will have an impact on law enforcement.
222 (4) Other County Facilities –
223

224 **Staff recommends open for discussion and possible action.**

225
226 **Staff Comments:**

227
228 - A 200 foot conservation zoning should be considered for that portion of both parcels
229 that runs along Cypress Run Creek.

230 Camden Square Associates, represented by Mr. Eddie Hyman of Hyman and Robey, applied
231 for a zoning change for approximately 104 acres from basic residential R-3-2 to basic
232 residential R-3-1, making it 1 acre lots instead of 2 acre lots behind Wharfs Landing along
233 Keeter Barn Road.

234
235 Mr. Hyman indicated that the pieces of property in question joins Wharfs Landing which is
236 already zoned R-3-1, the 42 acre parcel that adjoins it directly and another 60 acre parcel that
237 adjoins it across Cypress Run Creek. They would like to get consistent zoning throughout
238 Wharfs Landing, to R-3-1.

239
240 Of concern was the non encroachment area along Cypress Run Creek at Keeter Barn Road.
241 Mr. Parks said that NC Flood Mapping is doing a study to determine the actual non
242 encroachment/floodway. As it stands right now, the floodway ends at the south portion of
243 Keeter Barn Road. Staff is recommending that a 200 foot buffer from the ditch to be placed
244 in conservation for drainage concerns.

245
246 Mr. Porter as a point of order pointed out that we can not as a condition say that we will
247 rezone this property with a condition that they create a 200 foot buffer with the proposed
248 zoning, so what our recommendation is, is that we agree to rezone the property as they
249 requested if they rezone that 200 foot buffer as a conservation ditch, because we have
250 established a specific district for conservation districts, but did not map any areas as such.
251 This would be the first area that we have mapped as conservation zoned.

252
253 Chairman Burnham asked to have the land in question pointed out, and asked if it was part of
254 the section that they have already set aside as indicated on their documentation. Mr. Hyman
255 responded that it was. They have already incorporated a buffer in their sketch plan, and as
256 such, the board decided to go ahead and vote on it as submitted / requested and let it be a
257 condition of the permit rather than a conservation zone.

258
259 Ms. Griffin asked if there was a time table on the flood mapping study. Mr. Porter responded
260 it would be approximately 12-18 months. Chairman Burnham asked in what way the results
261 of the study would affect this property. Mr. Porter responded that the worst case scenario for
262 the developer would be that he develops the property, cuts out his lots, but hasn't sold them
263 yet and then the flood mapping people would say that that's an encroachment area. If they
264 just change it making it an AE flood zone, then it's just a matter of how high the houses
265 would have to be elevated.

266
267 Mr. Hyman spoke about his knowledge about what happens in a flood way, and that natural
268 habitat areas, wooded areas, etc., are storage areas for water during a storm, and that for
269 every truckload of sand that is placed in a floodway, that's a truckload of water that would go
270 elsewhere during a storm event. Floodway regulations say that you can't build or cut down
271 trees, or in any way affect the area to impede the storage of water because to do so would
272 possibly cause other areas to flood that otherwise wouldn't. Mr. Hyman indicated that he
273 wants to be smart in the development of this property, and not to impede the floodway.

274 Dave Parks again mentioned that the board has the option of tabling this to the next meeting,
275 because it wouldn't be going to the Board of Commissioners until January 2008 anyway. Mr.
276 Parks said that since they (Camden Square Associates) are pretty much in agreement with
277 regard to the conservation, staff recommends approval of the rezoning less the 200 foot
278 buffer that runs along Cypress Run Creek.

279
280 Calvin Leary made a motion to approve item #2 UDO 2007-10-07, Rezoning Application,
281 Camden Square Associates, as recommended by staff. John Aydlett 2nd the motion.

282
283 Ms. Griffin asked a question after the motion was made and seconded. She was concerned
284 about the timetable for building after all approvals have gone through verses the timetable for
285 the new floodway map. She asked if it was possible that the approvals might go through in
286 such a time as to allow some build out on the land in question before a new determination
287 came through. Structures that exist prior to a floodway determination are not removed, new
288 construction is prohibited, but not existing structures. She was concerned with how quickly
289 construction could be moved upon once the approvals went through before a new floodway
290 determination came in.

291
292 Mr. Hyman responded that if all the approvals went through without any holdups, they could
293 probably start construction on the first phase, which is not in the section of land in question
294 which is phase 3A, by next fall. Completion of all phases, if they get 1 phase built per year,
295 would probably take between 3 and 4 years. So building in phase 3A is several years away.
296 Mr. Hyman indicated that when the results for the floodway study come in, they will adjust
297 and redesign to match it, since they are already setting aside 200 feet as a safety precaution.

298
299 The motion was again stated and staffs recommendations clarified "Rezone all the property
300 as requested, with the exception of the 200 foot area parallel to Cypress Run Creek."

301
302 After further discussion and consideration Chairman Burnham called for the vote. Prior to
303 consideration of the vote, Ray Albertson recused himself from voting due to a conflict of
304 interest. The vote results were 5 ayes, 1 recuse, and 1 opposed. A roll call vote was called
305 for. The results are as follows: Terri Griffin: Yes; Ray Albertson: recused himself from
306 vote; Calvin Leary: Yes; Chairman James Burnham: No; Vice Chairman Rodney
307 Needham: Yes; Michael Etheridge: Yes; John Aydlett: Yes. By a vote of 5 to 1 with 1
308 member recused, item #2 UDO 2007-10-07, Rezoning Application, Camden Square
309 Associates was approved.

310 ***Item #3, UDO 2007-10-08, Sketch Plan, The Reserve at Wharfs Landing Major Subdivision***
311

312 Mr. Eddie Hyman represented Camden Square Associates for this item as well.
313

314 Dan Porter mentioned that since the rezoning needs to complete the approval process prior to
315 any approvals being issued on the sketch plan, no vote or action should be taken on this item
316 at this time. This item is considered an incomplete application and was pulled from the
317 agenda.
318

319 Dave Parks mentioned that we were still waiting for the results from Albemarle Regional
320 Health Services on the perc testing on this property. Mr. Hyman added to that saying that he
321 is working with the health department to get the perc testing squared away. Dave Parks said
322 that this sketch plan application is an incomplete application due to the absence of the perc
323 test results, and that the application should be pulled from this months meeting agenda. If the
324 application is complete in time for the December meeting, it will be revisited then.
325

326 Also, South Mills Water has yet to make water available to this area. However, it is in the
327 works... they are set to begin construction of the water delivery system (water tower) in
328 January 2008 and should be finished in July of 2008. Wharfs Landing won't be ready for a
329 water tap until some time after the completion of the water delivery system. Mr. Hyman
330 stated that it would probably be a year before Camden Square was ready to connect to a
331 water tap on any of the lots.
332

333 Staff raised a question pertaining to the time frame to completion per phase. Mr. John Outten
334 and Mr. Waverly Sawyer of Camden Square Associates spoke to this issue saying that they
335 hope to complete 1 phase per year (approximately 40-50 lots). Public School Adequate
336 Facilities is the reason for the concern on the time frame. Since the fee to advance the
337 capacity will be paid by the applicant at the building permit stage, staff still would like to
338 have an idea of how and when the school capacities will be affected.
339

340 Chairman James Burnham asked if any of the board members had further questions, hearing
341 none, the board moved on to the next item of business.
342

343 ***Item #4, Amendment to Chapter 151 of the Camden County Code of Ordinances***
344

345 Dan Porter introduced Courtney Hull, who made a few comments regarding the proposed
346 PUD ordinance. She mentioned that unlike the past PUD ordinances, this ordinance will
347 apply to all PUD applications and provides a set of general rules for submission of PUD
348 related documents.
349

350 At this time, Dan Porter presented a walkthrough of the proposed ordinance, which is
351 detailed on the next few pages (in outline format):

A PUD is a conditional use district, no uses are allowed until they are proposed by the applicant and agreed upon and approved by the Planning Board and Board of Commissioners.

A PUD allows for the created use of land, flexibility of the minimum standards and design standards.

The first thing that takes place is a pre-application meeting where the requirements and details of the process are discussed with the applicant.

There is a 3 step process for establishing a PUD district

- Petition for Rezoning and Conceptual Plan.
 - The PUD Approval Ordinance needs to be recorded with the Register of Deeds before the Master Plan can be adopted.
 - The PUD Approval Ordinance is specific to the area rezoned to PUD, and sets specific items required on the Conceptual and Master Plans.
- Master Plan Submittal.
 - The Master Plan can include specific information in certain phases that meets some of the same requirements as a preliminary plat.
 - Preliminary plat is the point at which construction can commence.
 - However, no construction can begin until the rezoning and master plan are approved.
 - Once approved, it is an administrative process to make sure the construction drawings / preliminary plat is submitted and meets the standards for the ordinance and which have been drawn up in the rezoning and master plan ordinance.
- Administrative Approvals.
 - Rezoning, Conceptual Plan, and Master Plan must be reviewed by Planning Department, then approved by Planning Board, and then sent from the Planning Board to the Board of Commissioners for final approval.
 - The Board of Commissioners may delegate future review and refinements of the PUD Master Plan to the Planning Department. Minor Modifications to a PUD Master Plan can be reviewed and approved by the Planning Department as an administrative matter. Anything more than a minor modification must be reviewed by the Planning Department and approved by the Board of Commissioners.
 - All Final Plats are to be reviewed and approved by the Planning Department based on standards and conditions established by the approved PUD Master Plan.

At this point John Cooke, of Camden Plantation, spoke briefly concerning the above processes. He restated what Mr. Porter had already said with regard to the PUD being a conditional use district. His comments are summarized below:

- When an applicant comes in he has a conceptual plan.
- He goes through a process where conditions are discussed and negotiated through so that inflexibility is avoided in the ordinance code.
- The rezoning must be done first, then a conceptual plan is prepared. The conceptual plan has a moderate amount of detail.
- After the rezoning and conceptual plan are approved, the master plan can be prepared. The master plan contains a substantially greater amount of detail than has been previously seen.

When Mr. Cooke finished his comments, Mr. Porter continued.

There are basically 2 plans, the concept and the master. This ordinance sets up the kinds of things that are required on each plan prior to submittal, also sets up the requirements of the rezoning.

Important considerations include:

- Application Requirements
- Existing site conditions, man made features, areas of environmental concern, wetlands, natural features, and other considerations such as road systems, water and sewer, utilities, stormwater drainage, etc.
- Development conditions, statement of the nature and intent of the development, proposed phasing, land use, maximum density, maximum number of dwelling units, etc.
- Development standards table, to include things that must be present and/or regulated during the development such as lot sizes (minimum and maximum), setbacks, maximum building heights, open space, etc.
- Statements on how man made and natural features will be treated
- Statements on public facilities, improvements to be made as part of the development
- Any design considerations that may differ from the standards in the UDO.

The Concept Plan is just a drawing of what a statement has been made about. The ultimate layout of the plan is not required for the conceptual plan. The conceptual plan must include:

- General vicinity map showing the location in relation to surroundings
- Summary table providing:
 - The number of acres in the site
 - Net developable acres
 - Proposed use categories
 - Proposed maximum number of dwelling units and/or gross floor area of non residential uses.
- General location of all proposed commercial uses, industrial uses, residential uses, transportation network, points of ingress and egress, signage, proposed open space, landscaping, storm water management facilities (detention ponds, drainage ditches, etc), and any other proposed major structures or facilities.

To be submitted with the conceptual plan:

- Copy of the draft covenants and restrictions
- Calculations showing estimated water and sewer capacity required to service the proposed project
- Traffic impact analysis
- Statement as to which streets, if any, will be dedicated/maintained by NCDOT

Master Plan

The master plan is significantly more detailed and specific than the conceptual plan. The master plan must comply with / contain:

- Zoning and conceptual plan and all the conditions approved by the Board of Commissioners
- Minimum design and development criteria for all PUDs
- Required elements and content of the PUD Master Plans as set forth in this ordinance
- Enough information for the Board of Commissioners to make their findings.

"At a minimum, PUD master Plan must describe with reasonable certainty the type and intensity of use for each specific parcel or parcels of the PUD."

General site considerations to be included on a Master Plan:

- Must abut / have access to public highway, road, street, etc.
- Existing roads should be able to handle increased traffic due to the PUD
- Points of ingress / egress
- Perimeter setbacks and landscaping requirements
- Parking facilities, lots for uses other than dwellings
- Buffer zones and landscape requirements around property
- Minimum acreage in the PUD district
- Amount of open space required (at least 25%) with common accessibility maintained for all residents of the PUD district
- Dwelling types (single family home, apartments, townhouses, etc.)
- Lot sizes and shapes
- Streets and roads (public and private <there are a set of rules for private roads>)
- Utilities and drainage
 - Sewer system
 - Water system
 - Stormwater retention and drainage
- Adequate Public School facilities
- Phased development with number of residential units versus number of commercial units during each phase
- Historic and cultural site preservation

Required elements and content of PUD Master Plans:

- | | |
|---|--|
| • Topography | • Location of wastewater systems |
| • Dimensions of proposed PUD property | • Location and height of common fences and walls |
| • Location and use of all major buildings other than dwellings | • Location of proposed stormwater management facilities |
| • Streets, drives, traffic, and parking | • General lighting plan |
| • Service areas | • Articles of Incorporation from the Homeowners Association |
| • Pedestrian areas | • Manual for maintenance of private roads and streets if any |
| • Title showing owners of the land where upon the PUD will reside | • Phasing Schedule |
| • Landscaping w/ buffers | |
| • Size and location of signs | |
| • Location of water systems including fire fighting facilities (hydrants, sprinklers, etc.) | |

514 At this point in the drafting of this ordinance, staff is trying to determine what information is
515 required at conceptual versus what is required at master plan and how specific those
516 requirements must be.

517
518 At this time, Dan Porter entertained questions from the board.

519
520 Rodney Needham said he would like to see a table of contents for this ordinance, so that as
521 an applicant is proceeding through the process, we could say 'you need this or that' and have
522 a contents list showing what page of the ordinance that information is located on.

523
524 Dan Porter responded to this saying that the ordinance will generally be set up so that
525 the subcategories can be browsed through easily from the first thing an applicant
526 needs to do with the requirements of it following, then the next thing they need to do,
527 and the requirements, etc. He agreed that a table of contents is important, that there
528 needs to be some way to reference the requirements.

529
530 Terri Griffin asked the following question: "When you talk about minimum lot sizes and not
531 boxing everybody in to that decision, isn't the nature of rezoning for a PUD to have all that
532 information, so that you know what you are rezoning for when you go into a PUD area?"

533
534 Dan responded: "From a development standpoint, you're going to move from concept
535 to more detail and more detail and more detail, and that's the way you're going to
536 build the project out. So you may know the market will support a certain amount of
537 single family dwellings, apartments, and commercial businesses, but you may not
538 know exactly what lot sizes you want to put those on, what's going to work best for
539 that property. You may have a general idea that you've got to have a significant
540 storm drainage system and have to have ponds and they need to be in one general
541 location, but to actually put them down on a piece of paper and say this is where its
542 going to be and these are the lots that are going to be around it. You've got to invest a
543 considerable amount of engineering and architectural and planning work into that and
544 you may not be at that point, you don't have all the information and you don't have
545 your rezoning approval, so what we are trying to do is establish a set of parameters to
546 the rezoning and concept plan so you can then go to the master plan stage and get to
547 that in sort of detail. You're going through a considerable amount of work up front,
548 we're requiring a lot. You're basically designing an entire project - what you would
549 typically see in a preliminary plat, just to get a rezoning."..."The nature of a PUD is to
550 allow for creativity in design, and it's to allow for larger projects, because you may
551 have a project, and most of the projects we have are 4 to 5 year projects, so you may
552 have one that is 15 to 20 years, and you may not know what that design is that far out,
553 you don't know what the market is going to be."

554
555 On larger projects where the build out is 15 to 20 years, there was some confusion about the
556 amount of detail that must be on the master plan, since market fluctuations may affect certain
557 elements of a master plan of a project of that magnitude.

558 John Cooke spoke in answer to Terri Griffins question as well, reiterating the same things
559 that Dan Porter spoke about but in terms that were a little more basic. "typically with a PUD,
560 we can project what our maximum number of units are going to be, but we don't know
561 exactly where they may lay out at rezoning time. Same thing in a commercial situation. Let
562 me give you this example: We might envision that we are going to have these small shops
563 and they are going to be small square footage. But we might attract a really good grocery
564 store, we wouldn't know that at rezoning, things change, we would have to come in at master
565 plan and show you those specifics, and we wouldn't be able to do that. And so, really what
566 we said to the staff is, it is really a policy decision for you all, it's not a right or wrong answer
567 here, but the more specificity you put in the concept plan required conditions, whenever you
568 say its a required condition, everybody who comes before you has to meet it or you would
569 have to change your ordinance. Everybody would have to show every lot width as it is
570 written in the concept plan whether you have 50 acres or 500 acres, and a build out of 2 or 3
571 years or a build out of 20 years."

572
573 Chairman James Burnham asked Dan Porter what he wanted the board to do at this meeting
574 with regard to this item. He said that he does not anticipate any action on this ordinance at
575 this meeting. He said that he is trying to just give the information to the board and get the
576 board familiar with what it is and what points may need a little further looking at. Dan
577 suggested that the board may want to assign a couple of members to a committee and sit
578 down with the staff and look at it in much more detail. This item will be brought back to the
579 next meeting as 'old business'.

580
581 ***Item #5, UDO 2007-10-06, Rezoning Application, Camden Plantation Properties Inc.***
582

583 David Rudiger, President of Camden Plantation Properties Inc, made the presentation for the
584 concept plan for Camden Plantation. They are attempting to rezone it to a PUD district.
585 However, since there is no ordinance in place at current time, no action could be taken on
586 this item. They were present to present their plan as an example of what was spoken about in
587 Item #4 on the previous several pages.
588

589 In conjunction with this plan, a Ms. Marcella Whitson spoke about several concerns she has
590 with regard to PUD districts. Her concerns were:

- 591
- 592 • Taxes that are constantly on the rise due to costs associated with providing services
593 that houses require.
- 594 • Adequate school facilities and Adequate recreational facilities from the county for the
595 children that the subdivision would add into the system, also way of life.
- 596 • Stormwater drainage and runoff issues for downstream property owners
- 597 • Where is the water for maintaining the golf course going to come from? More water
598 used from the county water system to maintain the golf course means less available
599 for maintaining farmer's crops and for personal uses.
- 600 • Sewage processing, odors, etc.

601
602 David Rudiger offered answers to Ms. Whitsons concerns.

- 603
- 604 • Stormwater Drainage
 - 605 ○ "Stormwater will be contained on site such that the water that comes off of the
606 property will not exceed the rate of flow that exists today. The drainage off of
607 this site should be better or at least no worse than it is today, and we are going
608 to design it to be better than it is today."
- 609 • Sewage treatment and Water for the Golf Course
 - 610 ○ Will be located on site, so it will be taken care of with modern technology, so
611 there should be no ill effects. It will be treated to a re-use standard and that
612 water will be used for irrigation of the golf course. No wells or public water
613 will be used for the golf course.
- 614 • Impacting way of life
 - 615 ○ We are going to try to preserve the way of life that people have. That is part
616 of the Smart Growth process. Growth is inevitable. People are going to
617 come, and we will manage it in a smart growth way. The smart growth
618 approach is lets put folks together and manage them in a smaller area which
619 preserves more area as open space and farm land and so forth so that the
620 growth is centralized.

621
622 Terri Griffin expressed her appreciation to Ms. Whitson for her comments and the way she
623 presented them and invited Ms. Whitson's involvement and participation in future activities
624 involving this issue.

625
626 Again, no action is sought on this item, and staff is not asking for a vote to approve. This
627 item is to be considered as an incomplete application until such a time as an ordinance is in
628 place to accommodate this rezoning request.

629 **Information from Board and Staff**

630
631 There was no further information provided from staff.

632
633 **Consider Date of Next Meeting – December 19, 2007**

634
635 **Adjournment**

636
637 At 9:12 PM, Michael Etheridge made a motion to adjourn the meeting. Terri Griffin
638 seconded the motion. The motion was approved with Chairman James Burnham, Vice
639 Chairman Rodney Needham, Members Terri Griffin, Michael Etheridge, John Aydlett,
640 Calvin Leary, and Ray Albertson voting aye; none voting no; none absent; none not voting.

641
642
643 Date: _____

644
645
646 Approved: _____
647 Chairman James Burnham

648
649
650 Attested: _____
651 Amy Barnett, Planning Clerk